PTO/SB/21 (04-04) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE aperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/706,708 November 11, 2003 **TRANSMITTAL** Filing Date **FORM** First Named Inventor Bryon J. Tarbet Art Unit 1616 (to be used for all correspondence after initial filing) Neil S. Levy **Examiner Name** Attorney Docket Number 999999.906025 13 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Technology Center (TC) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a **Proprietary Information** After Final Provisional Application Status Letter Affidavits/declaration(s) Power of Attorney, Revocation Change of Correspondence Address Other Enclosure(s) (please Identify below): Extension of Time Request Terminal Disclaimer Return Postcard Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm

Individual name Kenneth H. Tarbet, Reg. No. 43,181

Signature

September 27, 2004

Response to Missing Parts under 37 CFR 1.52 or 1.53

Date

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Kenneth H. Tarbet Typed or printed name

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Date |September 27, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## INJUNE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of	)	Group Art Unit: 1616
Bryon J. Tarbet	) )	Eveniner Neil C. Levy
Serial No.: 10/706,708	)	Examiner: Neil S. Levy
Filed: November 11, 2003	)	
For: COMPOSITION AND METHOD FOR THE TREATMENT OF	•	

## RESPONSE TO OFFICE ACTION

Mail Stop Non-fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

**ONYCHOMYCOSIS** 

Dear Sir:

This is in response to the Office Action dated June 28, 2004. Reconsideration of this application in view of the following amendments and arguments is respectfully requested.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

September 27, 2004
(Mailing Date)
Kenneth H. Tarbet
(Registered Representative)
Roy Cartotte
(Signature)
September 27, 2004
(Date of Signature)